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June 22, 2023

VIA ECF

Hon. John P. Cronan
United States District Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 12D
New York, New York 10007

Re: Vuppala v. Luxottica USA, LLC, Case No. 1:22-cv-4424 (JPC)
Final Request to Extend Time to File Stipulation and Adjourn Conference



Judge Cronan:

We represent defendant Luxottica of America, Inc.¹ ("Luxottica") in the above-referenced action. Pursuant to the Court's Order of May 31, 2023 (Dkt. No. 34), we write jointly with counsel for Plaintiff respectfully to request that the Court (a) grant the parties a brief one week extension – from June 26, 2023 to July 3, 2023 – to submit the stipulation of dismissal to the Court, and (b) adjourn the in-person status conference scheduled for June 26, 2023 *sine die*, or alternatively, permit Plaintiff's counsel to participate in the conference telephonically. In support of these requests, counsel for Luxottica states the settlement payment is in transit to Plaintiff's counsel and is expected to be delivered early next week at the latest. Per the parties' agreement, the stipulation of dismissal cannot be filed until Plaintiff's counsel confirms receipt of the payment. Additionally, in order to attend the conference on Monday morning, Plaintiff's counsel would have to travel to New York from Florida over the weekend. Accordingly, counsel for the parties submit that good cause exists for this brief extension and adjournment of the status conference (or, in the alternative, permission for Plaintiff's counsel to participate telephonically).

¹ Luxottica of America, Inc. is incorrectly identified in the Amended Complaint as "Luxottica USA LLC."

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We thank the Court for its consideration of these requests.

Respectfully submitted,

/s/ Michael F. Fleming

Michael F. Fleming

Attorney for Luxottica

C: All Counsel of Record (Via ECF)

Assuming the parties do not file a stipulation of dismissal by June 25, 2023, the conference currently scheduled for June 26, 2023, at 10:30 a.m. will proceed as scheduled but will take place via telephone. At the scheduled time, counsel for all parties should call 866-434-5269, access code 9176261.

SO ORDERED.

June 23, 2023
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN
United States District Judge